

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Services – A.P.Port Department – Complaint against Sri L.Raju, presently working as Deputy Executive Engineer, Dredging & Navigation Division, Kakinada Port, Kakinada on certain allegations – Inquiry Conducted – Inquiry report communicated – Written Statement of Defence received - Awarding a punishment of "Censure" – Orders - Issued.

ENERGY, INFRASTRUCTURE & INVESTMENT (P.II) DEPARTMENT

G.O.Rt.No. 58

Dated:08-05-2015.

Read the following:-

1. From the G.A (V&E) Dept., Vigilance Report No.101/(1525/V&E/E1/08), dt.31-08-2010.
2. G.O.Rt.No.182, I&I (P.II) Dept., dated 09-08-2011
3. G.O.Rt.No.225, I&I (P.II) Dept., dated 27-09-2011
4. From the GA (SC.D) Dept., U.O.Note No.371/SC.D/A3/2011-1, dt 19-09-2011.
5. Govt Memo.No.99/P.II/2011-3, I&I (P.II) Dept., dated 12-03-2011.
6. From the Director of Ports, Kakinda, Letter.No.DoP/B1/2846/2010, dt.25-10-2012 and dated 15-12-2012.
7. From the Director of Ports, Kakinda, Letter.No.DoP/B1/2846/2010, Dated 19-03-2013
8. G.O.Rt.No.38, I&I (P.II) Dept., dated 12-02-2014.

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In the reference first read above, it was stated that the Vigilance Enforcement Department Officials have enquired into the complaint made by Sri K.Muni Reddy, presently working as Assistant Engineer, Machilipatnam against Sri L.Raju presently working as Dy.Executive Engineer, D&N Division, Kakinada Port, Kakinada on certain allegations against his qualifications and the manner in which he was promoted as Assistant Engineer and Deputy Executive Engineer.

2. Accordingly, disciplinary proceedings against Sri L.Raju, presently working as Dy.Executive Engineer, Kakinada Port, Kakinada were contemplated and the delinquent officer was placed under suspension vide G.O. 2nd read above. After that, the individual was granted subsistence allowance under Rule 8 of AP CCA Rules, 1991 vide G.O. 3rd read above.

3. Enquiry was ordered by the Government against the Charged Officer and accordingly, the Director of Ports vide reference 6th cited has furnished his Inquiry report along with the remarks of the Disciplinary Authority for taking necessary action at Government level.

4. After that, in the G.O. 8th read above, Government has revoked the orders of suspension of the charged officer and reinstated him into service without prejudice to the disciplinary/criminal proceedings pending against him.

5. After detailed examination of the Inquiry Report and the explanation submitted by the A.O., Government have come to the view that the main charge against the Charged Officer that he has produced bogus 8th class certificate is proved in the Enquiry Officer's Report and report of the Director of Ports, Kakinada though production of 8th class certificate is not warranted by Service Rules for being appointment to the initial post of Driver Grade-I. However, it cannot be said that the Accused Officer has gained benefit by making entry in the S.R that he had passed 8th class, since the Rules do not stipulate academic qualification for the Driver post. Further, regarding other charge that the Accused Officer was promoted to the post of Assistant Engineer (Mechanical) (Category I) though he did not possess the required qualifications as per G.O.Ms.No.133, TR&B (Ports) Department, dated 13-08-1998, it has been observed that Sri L.Raju was promoted as Assistant Engineer (Marine-Mechanical) on the qualification of Marine Engineering Officer

P.t.o

Class IV (Motor), by the then Director of Ports, GoAP, Kakinada Sri K.Mangapathi Rao, IAS (Retd). The appointing authority, retired from the Service in the year 2009 and the irregularities committed pertains to the year 2004 and the stipulations for initiating action against the retired officer had already been completed and it is not possible to initiate action against the retired officer at this juncture according to rule (6)(1) (b) of All India Services (DCRB) Rules, 1958. Further, Sri L.Raju was promoted by the Government as Deputy Executive Engineer, D&N Division in the year 2008, as he was having required qualification 'Certificate of Competency as Marine Engineer Officer Class IV' prescribed in G.O.Ms.No.203, TR&B (S.I) Dept., dated 27-10-2006.

6. In view of the above and after examining the explanations of the charged officer on the Inquiry Report, Government after careful examination of the matter, hereby impose minor penalty of "Censure" on Sri L.Raju presently working as Dy.Executive Engineer, D&N Division, Kakinada Port, Kakinada, as per APCS (CCA) Rules, 1991.

7. The Director of Ports, Government of A.P, Kakinada shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY JAIN
SECRETARY TO GOVERNMENT

To
The Director of Ports,
Government of A.P,
Kakinada.

Sri L.Raju, Dy.Executive Engineer,
Kakinada Port,
Kakinada(through the Director of Ports, GoAP, Kakinada)

Copy to:

The Secretary to Vigilance Commission,
A.P.Vigilance Commission,
Hyderabad.

The Director General (V&E) & E.O.Prl.Secretary to Government,
G.A.Department,
Hyderabad.

The Accountant General of A.P.,
Hyderabad.

The PS to Secretary to Government, E, I&I Department
The PS to Additional Secretary to Government, E, I&I Department
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER